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MINUTES OF A REGULAR CITY COUNCIL MEETING HELD JANUARY 9, 1984

PRESENT

Grant S. Nielson	Mayor
Don Dafoe	Council Member
Neil Dutson	Council Member
Craig Greathouse	Council Member
Kjell Jenkins	Council Member
Ruth Hansen	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Warren Peterson	City Attorney
Dorothy Jeffery	City Recorder
Sherri Terrell	City Secretary
Bryce Ashby	City Fire Chief
John Quick	City Engineer
Martin Ludwig	Parks & Rec Advisory Board Chairman
Ray Valdez	City Building Inspector
Neil Forster	City Public Works Superintendent
Alan Riding	City Public Works Foreman
Rod Clark	City Resident
Scott Nickle	City Resident
Glen Swalberg	Chamber of Commerce President
Ken Thompson	Proposed Annex Resident
Rose Shumway	City Apartment Owner
Ralph Ross	Proposed Annex Resident
LeeRoy Stephensen	Proposed Annex Resident
Roger Stephenson	Proposed Annex Property Owner
Ron Smith	Proposed Annex Resident
Melba Jacobson	Proposed Annex Resident
Jim Fletcher	KNAK Radio

Mayor Nielson called the meeting to order at 7:01 p.m. Notice of the meeting time, place and agenda were posted at the City Office and was provided to the Millard County Chronicle, the Millard County Gazette, the local radio station, KNAK, and to each member of the City Council by personal delivery two (2) days prior to the meeting.

MINUTES

The minutes of the December 19, 1983, regular City Council meeting were discussed and corrected by the Council. Councilman Don Dafoe MOVED to approve the December 19, 1983, minutes as corrected. Council Member Ruth Hansen SECONDED the motion, which carried unanimously.

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The minutes of the December 21, 1983, Special City Council Meeting were discussed and corrected by the Council. Councilman Craig Greathouse MOVED to adopt the minutes as corrected. Councilman Neil Dutson SECONDED the motion. The motion passed with a unanimous vote.

ACCOUNTS PAYABLE

City Recorder Dorothy Jeffery presented the list of accounts payable, which went as follows:

CONTEL	City Office	144.75
CONTEL	Fire Dept.	23.37
CONTEL	City Bldg.	354.96
CONTEL	Mach Shed	46.65
CONTEL	Police Dept.	154.11
UP&L	Airport	172.02
UP&L	Sewer Lift	8.33
UP&L	Sewer Pump	92.28
UP&L	Yard Well	1,840.65
UP&L	Sugar Factory	261.15
UP&L	Water	72.27
UP&L	Yard Pump House	8.08
BAKER DRUG	Police	Medication for prisoner 37.65
ADC PLUMBING	Water	Water heater element 34.50
AMERICAN KL	City Bldg	Developer 53.90
CLARK BOARDMAN	Police	Issues of law reports 45.00
DELTA SPORTS	P&R	Volleyballs/whistles/etc 135.30
THE EAGLE CO	Police	Supplies for new officer 351.65
GULF STATE DIST	Police	Targets 37.75
KARL JEFFERY	Police	Year Subscript Tribune 16.75
MULLETT HOVVER	Admin	Plaque for Councilmen 171.00
SAM WELLERS BKS	Library	Books 24.81
SEVIER OFFICE	City Bldg	Pager Cutter 51.64
SEVIER OFFICE	Bldg Insp	Pads/notes/small pads 25.24
SEVIER OFFICE	City Bldg	Lift-off tape 59.40
SIRCHIE LABS	Police	Crime Sketch Outfit 160.00
SPERRY OIL	Sw/Wtr/St/PD	Motor Oil 190.85
STEVE REGAN	Wtr/Sw	Hip Boots 28.21
STATE OF UTAH	City Bldg	Copy Paper, misc. 262.87
TAYLOR ELECTRIC	Sewer	Pump Station D 58.08
WEST SIDE GRADING	Streets	Gravel 1,361.80
AMERICAN KL	City Bldg	Toner for copier 45.27
ALLEN SMITH CO	Admin	Replacement Vol 22.00
CITY CAFE	Council	Awards Ceremony 439.02
SALT LAKE STAMP	Recorder	Stamp 28.23
RIDING FORD	Parks	Ladder Truck Repair 10.50
MASTER MUFFLER	Police	Car repair on car #4 41.50
MASTER MUFFLER	Police	Transfer lights car #11 63.48
LAKE PHILGAS	Shop	Propane 191.25
SCHOLZEN PRODUCT	Wtr/Sw	Saddles 151.61
WEST MILLARD COOP	Streets	Tires 118.56

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LAKE PHILGAS	Streets	Fitting/copper tube	3.50
COREY LUMBER	Water	Bushing/utility knife	11.54
QUALITY HARDWARE	Water	Plumbing	13.98
QUALITY IGA	P&R	Misc office supplies	21.35
QUALITY IGA	Streets	Switches	3.17
QUALITY IGA	Christmas	Lights & Plugs	23.54
CHAMBER OF COM	Admin	Display at openhouse	300.00
LOVELL INC.	Streets	Filter/adapted	49.55
FARMERS SUPPLY	Streets	Light globes/wiper blade	10.50
COREY LUMBER	Sewer	Plexiglass	2.50
INTERMNT FARMERS	Sewer	Gloves	23.48
QUALITY HARDWARE	Airport	Lock/bulbs	19.04
COREY LUMBER	Fire	Shovels	16.38
QUALITY HARDWARE	Shop	Hose Fittings	3.56
QUALITY IGA	Shop	Address books	12.65
LOVELL INC.	Shop	Bolt	.90
QUALITY IGA	Bldg Insp	Film/batteries	22.68
SEVIER SCHOOL	Bldg Insp	Scotch tape/erasers	10.61
SOUTHERN UTAH	Bldg Insp	Pencils	8.95
			<hr/>
			8,097.06

DELTA AUTO

<u>Inv.</u>	<u>P.O.</u>			
17580	4217	Water	Gates belt	3.75
15633			Wire	7.38
18820	4299	Street	Tip. brake tool	29.90
18792	4300	Water	Screwdriver	1.97
17540	4218	Street	Muffler clamps/pipe	6.45
17524	4218	Street	Everco cable	25.80
15815	4150	Police	Ber's leak	2.59
15857	4150	Police	Gates Hose	8.20
17337	4259	Christmas	Guy wire	15.00
17420	4259	Christmas	Paint	6.60
17426	4259	Christmas	Kuylon	3.30
17790	4259	Christmas	Misc supplies	26.54
17908	4304		Toggle switch/connectors	3.44
17955	4304		Lights/wire	94.25
17845	4304		Forney ends/cable	11.02
18649	4359		Filter	13.06
18605	4359		Lamp	3.72
18221	4298	Sewer	Wheel Brg	10.44
18815	4298	Sewer	Brake Fluid	10.95
18819	4300	Water	Booster cable	23.35
18818	4293	Airport	Misc Supplies	29.84
18043	4294	Fire	Soap stone/fuses	15.39
18269	4295	Shop	Pliers/clip pens	12.86
18490	4295	Shop	Cap screws	.80

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19525	4295	Shop	Everhot Fittings	8.10
18462	4295	Shop	Misc Supplies	13.81
18169	4295	Shop	Wrench	13.94
18630	4365	Water	Solinoid	19.30
GRAND TOTAL				8,518.81

City Recorder Dorothy Jeffery stated that she had received 2 pay requests from Dennis Westwood, Animal Control Officer. She presented the pay requests for the month of November in the amount of \$371.50, and for the month of December in the amount of \$380.00. She also presented the year end report that Mr. Westwood had submitted.

Councilman Craig Greathouse MOVED to pay the current bills as presented, including the 2 bills from Dennis Westwood. Councilman Neil Dutson SECONDED the motion, which carried unanimously.

CONTRACT WITH CAROL PARR FOR JANITORIAL SERVICES IN CITY BUILDING

City Attorney Peterson reviewed with the City Council the proposed contract between Delta City and Carol Parr which had been previously distributed to the Council. The contract provides for janitorial services in the City offices. The Council discussed the terms of the proposed contract. It was determined that Exhibit "B", as provided in the agreement, should be attached to and become part of the contract. Exhibit "B" lists the supplies and equipment furnished by Delta City which are used by Mrs. Parr in performing janitorial services.

After discussion of the agreement, Council Member Ruth Hansen MOVED that the agreement be approved and that Mayor Nielson be authorized to sign the agreement after Exhibit "B" had been prepared and attached. Councilman Don Dafoe SECONDED the motion, which carried unanimously.

PROPOSED LEASE BETWEEN DELTA CITY AND DELTA AREA CHAMBER OF COMMERCE FOR OFFICE SPACE IN THE DELTA MUNICIPAL BUILDING

City Attorney Warren Peterson presented to the City Council a draft of a proposed lease agreement between Delta City and Delta Area Chamber of Commerce for the Chamber of Commerce office space in the Delta Municipal Building. The essential provisions of the lease agreement were briefly reviewed by Mr. Peterson and discussed by the Council.

Mayor Nielson invited comment on the lease from Chamber of Commerce President Glen Swalberg and members of the Chamber of Commerce board who were present.

After discussion of the lease, Mr. Peterson recommended that the lease be tabled until the January 16, 1984 Council meeting. He asked that the Council Members review the lease and submit any proposed changes to him by Thursday, January 12, in order to have sufficient time to revise the lease for presentation at the January 16, 1984 regular City Council meeting.

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DEMAND FOR SALES TAX REPAYMENT FROM MILLARD COUNTY

City Manager Jim Allen reviewed the substance of the negotiations conducted by Millard County and Delta City officials on January 9, 1984, regarding the local sales tax erroneously distributed to Delta City rather than to Millard County by the Utah Tax Commission. He reported that Millard County specified an amount of \$68,300 that they requested the City repay to the County. Mr. Allan stated the options proposed by the Millard County Commission for repayment, which were: First, to pay the \$68,300 over a two year period, which would require payment to the County of 32% of the total sales tax revenues presently received by Delta City. Second, repayment to the County over a three year period.

Several repayment proposals were discussed by the City Council, including repayment over a three year period, repayment of one-half of the \$68,300, with the County forgiving the balance, and receiving credit from Millard County against the \$68,300 for services delivered by the City to the unincorporated areas of the Millard County. Mr. Allan stated that while the Millard County Commission may be willing to consider the City's proposals, they have stated clearly their position that the City is obligated to pay the County the entire amount of the overpayment.

The City Council discussed each of the alternatives proposed. Mayor Nielson asked Chamber of Commerce President Glen Swalberg for his recommendation. He recommended that negotiations continue, but suggested that the City may also benefit by looking at the problem from the County's viewpoint. After further discussion, the Council concurred that the City negotiating team, consisting of the Mayor, City Manager and City Attorney, should attempt to meet with representatives of Millard County and seek a resolution to the problem.

SHUMWAY CLAIM FOR SEWER DAMAGE

Rose Shumway was recognized by Mayor Nielson. She presented to the City Council a claim for damage to a duplex apartment owned by her and her husband caused by backup of sewer water into one of the apartments. Mrs. Shumway described the damage to the apartment. She stated that the basement had been flooded twice by sewage. She also stated that her insurance company had denied payment of her claim for damage because the obstruction of the sewer line was found to be within the public right-of-way rather than on her own property.

Public Works Superintendent Neil Forster described the sequence of events in which the apartment's owner contacted him and his crews responded to the site and cleaned the sewer line. He stated that the obstructions found in the line were within a portion of the line located on the City right-of-way, but that the obstructions consisted of a toothbrush, toy car, plastic lid and other items which were introduced to the line through one of the apartments in the duplex.

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After discussion of the respective liabilities of the parties, Mayor Nielson suggested that Mrs. Shumway bring a copy of her insurance policy for review by City Attorney Warren Peterson. Mrs. Shumway agreed to do so. Mayor Nielson offered to discuss the claim further with Mrs. Shumway after review by the City of her insurance coverage.

FINAL PAYMENT FOR PHASE II OF WATER IMPROVEMENTS PROJECT

City Engineer John Quick was asked by Mayor Nielson to present pay requests for Water Improvements Project, Phase II.

Mr. Quick presented a payment request on behalf of Remote Control Systems, Inc., in the amount of \$2,356.75, plus payment of the 5% retainage on the contract, in the amount of \$3,652.85, for a total payment to Remote Control Systems of \$6,009.60. Mr. Quick reported that Remote Control Systems had completed all of its portion of the project.

Mr. Quick also presented a payment request from Contel in the amount of \$1,225.00 for installation of telephone connections used in the telemetering control system on phase II of the water improvements project.

Mr. Quick also presented a change order which would authorize construction of a retaining wall at the northwest corner of the 1.2 million gallon storage reservoir site. The wall is necessary to prevent the soil used to increase the elevation at the tank site from eroding adjoining property owned by Intermountain Power Project. The total amount of this change order would be \$1,540.00. The work will be completed by Ron Johnson Construction Company when weather permits.

After review of these items by the Council Members, Council Member Don Dafoe MOVED to authorize payment of \$6,009.60 as final payment to Remote Control Systems, Inc.; to make payment of \$1,225.00 to Contel for telephone line installation and to approve the change order for a retaining wall around the northwest corner of the storage reservoir site by Ron Johnson Construction Company. Council Member Craig Greathouse SECONDED the motion, which passed unanimously.

PROPOSED ANNEXATION OF TERRITORY NORTH AND WEST OF DELTA

Mayor Nielson recognized Don R. Bird, a former Delta Council Member, and requested a report of his efforts to obtain annexation petitions from land owners in the so-called "Sugar Factory Row" area north of Delta. Mr. Bird stated that he had taken the petition to land owners in that area after several land owners in that area had expressed interest in annexation. Mr. Bird reviewed with the Council the petitions which had been signed by land owners and listed the people who were supporting and approving the annexation. He explained the information he had given to each of the land owners as the annexation was discussed. He also described the financial effect of the annexation to the land owners by comparing the cost increase due to imposition of the City mill levy that would result from annexation as compared to the decrease in water and sewer services fees charged by Delta

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City to those areas. He noted each of the parcels of land that were served by Delta City water and sewer in the proposed Sugar Factory Row annexation area.

Mr. Bird also reported that he had not yet approached land owners in the Lyman Row and nearby areas west of Delta to determine whether they were interested in annexation.

Mayor Nielson recognized Roger Stephenson, a land owner in the Sugar Factory Row area, who expressed opposition to the annexation because he felt that annexation would promote residential development in the area of his honey extraction warehouse, that the increased tax burden would exceed the benefit of decreased water service fees and that annexation of the property would increase the likelihood that it would be included in a special improvement district. Mr. Stephenson said that a special improvement district would impose a significant financial burden on him.

Melba Jacobson and Ron Smith, who both reside in the Sugar Factory Row annexation area, expressed concern that irrigation water now received in the area would be cut off if the territory was annexed. Council Member Ruth Hansen explained that annexation would not affect delivery of irrigation water by Delta City to that area. The residents also expressed concern that annexation may cause more restrictive zoning to be imposed. The Council Members expressed a reluctance to make the zoning in the area more restrictive.

Ralph Ross, a resident and land owner of the Lyman Row area, expressed at length his concerns that annexation of Lyman Row might increase taxes to his adjacent farm ground. He also elaborated his displeasure over a verbal water service agreement between Delta City and Lyman Row area land owners. Mr. Ross said this agreement had been negotiated during the 1940s.

Mayor Nielson stated that it is the City's intention to carefully evaluate annexation of areas within which the City provides services. He said he feels that City residents are subsidizing people living in the areas proposed for annexation by providing municipal services. He said that the annexation has been discussed for several years and that numerous property owners in the proposed annexation areas have requested annexation.

WILFORD JENSON CONSTRUCTION COMPANY REQUEST FOR PARTIAL PAYMENT ON DELTA MUNICIPAL BUILDING CONTRACT

City Manager Jim Allan reported that the pay request from Wilford Jenson listed on the meeting agenda had not been received from Randy Greenwood, the project architect. Therefore, he said it could not be considered by the Council at this meeting. Mayor Nielson recommended that it be reviewed by the City Building Inspector and City Manager when the payment request is received.

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DISCUSSION OF REAPPOINTMENT OF JUSTICE OF THE PEACE STANLEY ROBISON

City Recorder Dorothy Jeffery reported to the Council that Justice of the Peace Stanley Robison was ill and could not attend the meeting. Therefore, she recommended that the agenda item regarding reappointment of Justice of the Peace Robison be postponed until the January 16, 1984, Council Meeting. The Council Members concurred in the recommendation.

ELECTRICAL POWER SERVICE AGREEMENT IN WHITE SAGE PARK

Mayor Nielson requested that City Manager Jim Allan explain the proposed agreement with Utah Power and Light Company for electrical service for the Delta City neighborhood park located at 350 South 600 East. After Mr. Allan described the agreement, the Council Members reviewed and discussed it. Council Member Don Dafoe then MOVED to approve the agreement with Utah Power and Light service for electrical service at the White Sage neighborhood park and to authorize Mayor Nielson to sign the agreement and to have it attested. Council Member Ruth Hansen SECONDED the motion, which carried with a unanimous vote.

COUNCIL MEMBER KJELL JENKINS PROPOSAL TO CHANGE COUNCIL MEETING FROM MONDAY NIGHTS

After recognition from Mayor Nielson, Council Member Kjell Jenkins presented his proposal to change City Council meetings from Monday night, as described in his memorandum previously sent to the other Council Members. After discussion by the City Council Members of other nights on which City Council meetings might be held, the majority of the City Council expressed preference for conducting City Council meetings on Monday night. Therefore, no further action was taken on the proposal.

STATUS REPORTS FROM DEPARTMENT HEADS

Mayor Nielson asked City Manager Jim Allan to explain the purpose of having department heads report on the status of each department in the City. Mr. Allan explained that he requested each department head prepare a report to the Council to inform the Council of the programs being conducted by each respective department.

Mayor Nielson then requested that Police Chief Greg Cooper report on the programs, duties and activities of the Police Department. Police Chief Cooper described each of the programs presently being conducted by his department and described the organizational structure and division of responsibilities within the department. Chief Cooper reported that, by his evaluation, the department was handling very capably the law enforcement needs of Delta City by both crime prevention and law enforcement programs.

Chief Cooper reported that Officers Stoneking, Taylor, Young and Burton had recently completed an effective drug raid. He read to the Council a written memorandum commending Officer Morris Burton for his assistance in the drug raid.

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Chief Cooper also presented to the Council an employee evaluation for Officer Roger Young. He reported that Officer Young has completed his six month probation period and recommended that Officer Young be put on permanent status and receive a step increase from Step 14-C to 14-D. Chief Cooper also presented an employee evaluation for Officer Scott Lakey. He recommended that Officer Lakey receive a change in classification from Patrolman I to Patrolman II. This would give Officer Lakey a change of grade from Grade 11B to Grade 12B. He said the reason for the change is that Officer Lakey is now certified as a Category I peace officer in the State of Utah.

Council Member Don Dafoe MOVED to place Officer Young on permanent status and to grant the step and grade increases for Officers Young and Lakey. Council Member Kjell Jenkins SECONDED the motion, which passed unanimously.

Chief Cooper recommended that the City Council consider adoption of a controlled substances ordinance. The City Council asked City Attorney Warren Peterson for an opinion on this subject. He said that the Council should consider two aspects: First, whether the City wanted to establish a policy of prosecuting crimes relating to controlled substances and second, the cost to the City of prosecuting these crimes and of housing prisoners in those instances where convictions were obtained.

Chief Cooper also stated that his department would be glad to provide services to the surrounding areas of Millard County if the Council directed him to do so as a means of repaying Millard County for the sales taxes erroneously paid to Delta City.

FIRE DEPARTMENT REPORT BY FIRE CHIEF BRYCE ASHBY

Fire Chief Bryce Ashby stated the firemen have elected Seth Jackson as Assistant Chief, Steve Riding as First Lieutenant, DeVon Peterson as Second Lieutenant and Don Robison as Secretary/Treasurer.

Mr. Ashby reported that during 1983 there had been 54 fire calls to which the Delta Volunteer Fire Department responded, of which 21 were in Delta and 33 in Millard County. He stated that the total fire loss in Delta was \$27,900, including a \$20,000 motor home which burned while on Main Street. He said there was a \$42,000 fire loss in the unincorporated portions of Millard County, including a \$20,000 loss in haystacks. He said 78% of fire costs are incurred responding to fire calls outside of Delta City. He reported that the number of fire calls had been decreased since the Millard County Sheriff's Office has provided dispatch service and is able to screen some of the calls.

Chief Ashby stated that the fire department had several goals for 1984. Equipment acquisition goals included acquisition of an additional 1,250 gallon per minute pumper truck, fully equipped, a radio, additional breathing apparatus, badges for fire department members and turnout gear.

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Mayor Nielson stated that he is concerned with the amount of time required of the fire chief. He suggested that the fire chief be placed on part-time salary for the next fiscal year.

Council Member Don Dafoe MOVED to appoint Bryce Ashby as fire chief, to approve appointment of officers elected by the fire department and to authorize City Manager Jim Allan to budget for a part-time salary for the fire chief beginning July 1, 1984. Council Member Craig Greathouse SECONDED the motion. During discussion on the motion, recommendation was made that the part-time salary be set at \$400 per month. After being called to a vote, the motion was approved unanimously.

PARKS AND RECREATION DEPARTMENT BY DIRECTOR LAURA BURNHAM

Parks and Recreation Director Laura Burnham presented a summary sheet of Parks and Recreation programs to the City Council. She called attention to the new logo which she intended to use for the parks and recreation department programs. She explained that the parks and recreation program has three major purposes:

1. To provide use of the community facilities to best meet the interests and needs of the community.
2. To assist local citizens and communities in strengthening their capabilities and determining their wants and needs in recreation.
3. To assist in developing and coordinating programs and resources to meet local citizen needs by local citizen participation in the decision making and community recreation development process.

She said that each of these purposes contribute to education of people in the worthy use of leisure. She explained the new department logo and slogan and the national recreation program associated with it. She also reported on department programs and the equipment and facilities used in the department.

REPORT ON ADMINISTRATION BY CITY MANAGER JIM ALLAN

City Manager Jim Allan reported his goals for the coming year. His goals, as broadly stated, were to establish procedure and to acquire capital improvements with greater efficiency. He stated that he would like to accomplish the following in the near future:

1. To acquire office furnishings for the Delta Municipal Building.
2. To prepare a proposal for the financing of capital streets and drainage improvements that City residents will find acceptable.

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3. To acquire a computer.
4. To prepare a budget manual and to prepare budgets on an acceptable schedule.
5. To establish a purchasing procedure.
6. To effect administrative personnel changes.

He expressed the progress he feels has been made and assured the Council that there would be continued improvements.

REVIEW OF THE TREASURER POSITION

Mr. Allan presented a revised job description for the position of City Treasurer, which the Council reviewed and discussed.

Mayor Nielson stated that Lily Dawson, the present treasurer, was concerned that her wages would be decreased if she were to resign as City Treasurer and that such wage reduction would significantly affect her retirement benefits. Mayor Nielson read a letter from Mrs. Dawson, which was as follows:

January 9, 1984

Dear City Council,

I informed the City Council that if conditions were favorable I would like to semi-retire in May of 1984 but I would like to remain at my present job until that time as a reduction in wages now would affect the amount of retirement pension I will receive.

I was assured that there would be no reduction in wages until that time and that I could have time to reconsider my retirement if I wished to do so.

Recently I was told by the City Administrator that I must make up my mind immediately about my retirement.

Before I definitely make up my mind about retirement I would like it on record, by vote, that there will be no reduction in my wages until my semi-retirement in May of 1984 otherwise I will have to remain in the position of City Treasurer and not retire.

Thank you,

Lily Dawson

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The Council Members concurred that Mrs. Dawson's wages should not be reduced, if possible, and that at the time of her retirement on May 15, 1984, a part-time job with the City should be considered.

City Attorney Warren Peterson presented a proposed resolution approving the amendments to the description of the treasurer position. After the Council Members had read the resolution, Council Member Don Dafoe MOVED that Mr. Allan prepare advertisements to fill the treasurer position when it is vacated by Mrs. Dawson, to determine whether funding was available to hire a person to train for the position of treasurer prior to Mrs. Dawson's retirement, and to adopt Resolution 84-103 entitled

A RESOLUTION AMENDING THE DELTA CITY PERSONNEL POLICIES
MANUAL TO AMEND THE JOB DESCRIPTION, DUTIES AND
RESPONSIBILITIES OF THE CITY TREASURER'S OFFICE.

Council Member Neil Dutson SECONDED the motion. Mayor Nielson asked for a roll call vote, which went as follows:

Don Dafoe	Yea
Neil Dutson	Yea
Craig Greathouse	Yea
Kjell Jenkins	Yea
Ruth Hansen	Yea

Following the voting, Resolution 84-103 was signed by Mayor Nielson and attested by City Recorder Dorothy Jeffery.

ORGANIZATIONAL POLICIES AND PROCEDURE AND CHART

Mr. Allan reviewed with the Council the document entitled "Organizational Structure" identified as Procedure 1.20, dated January 9, 1984. The Council Members reviewed the document with Mr. Allan and proposed some modifications. Council Member Don Dafoe then MOVED to adopt the proposed organizational structure description and chart as proposed by Mr. Allan and to make Procedure 1.20 effective immediately. Council Member Craig Greathouse SECONDED the motion, which was called to a vote and carried unanimously.

STATUS OF DELTA MUNICIPAL BUILDING CONSTRUCTION AND CHANGE ORDERS

Mr. Allan presented a progress schedule which had been prepared on construction of the Delta Municipal Building. He stated that the building is presently three weeks behind schedule. He also said that he would give a complete review of the change orders needed and the status of construction of the building at the next Council Meeting.

EMPLOYEE EVALUATION OF DAN McDONALD

Mr. Allan presented an employee evaluation for Dan McDonald on behalf of Public Works Superintendent Neil Forster. Mr. Allan said that Neil Forster had recommended that Dan McDonald be placed on permanent status with the

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City, with a step increase from 8-A to 8-B, effective retroactive to December 25, 1983. The Council Members reviewed the evaluation. After review of the evaluation, Council Member Neil Dutson MOVED that Dan McDonald be placed on permanent status, with a step increase from 8-A to 8-B effective as of December 25, 1983. Council Member Kjell Jenkins SECONDED the motion, which passed unanimously.

OTHER BUSINESS

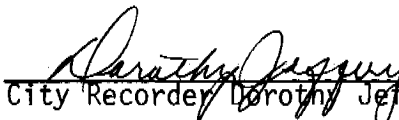
City Attorney Warren Peterson presented to Council Members photocopies of the Utah statutes and Delta City ordinances governing the position of City Attorney. He stated that he would give a report on the position of City Attorney in a Council meeting where more time was available.

Mr. Peterson stated that he has definite need for access to a set of United States Code in this area for use on behalf of Delta City. He said that the number of federal law questions affecting Delta City operations had continued to increase and that this library resource was essential to operation of the City. He said that he has spoken with representatives of Millard County and that Millard County may be willing to purchase the books, but the set would be located in Fillmore. He said the closest available U.S. Code set was in Provo, Utah.

Mr. Peterson reported that he had made tentative arrangements for acquisition of a U.S. Code set on special terms available only for a limited time, but did not wish to commit funds for purchase of the set without City Council approval. He recommended that the U.S. Code Service published by Bancroft-Whitney Company be purchased. He said the present terms for purchase of the books allowed for purchase over a three year period at approximately \$50.00 per month. He said this would require immediate action on his part. Therefore, he wanted a recommendation from the Council. After the Council discussed the need for access to the U.S. Code and the cost of acquiring the U.S. Code as compared to paying additional attorney's fees incurred in travel to Provo or other locations to use available sets of U.S. Code, the Council Members concurred that Mr. Peterson should complete the arrangements to purchase the United States Code Service from Bancroft-Whitney Company. The Council concurred that the additional money could be spent from the City Attorney budget, but did not specify the manner of payment.

Council Member Craig Greathouse then MOVED to adjourn the meeting. Council Member Kjell Jenkins SECONDED the motion. Mayor Nielson declared the meeting adjourned at 12:43 a.m. on January 10, 1984.


Mayor Grant S. Nielson


City Recorder Dorothy Jeffery